

A regular meeting of the Board of Selectmen was held on November 3, 2009, in the Francis O'Brien Meeting Room, Town Office Building, 26 Bryant Street, Dedham, Massachusetts. Present were:

Michael Butler
Sarah MacDonald
James MacDonald
Carmen Dellolacono
Paul Reynolds

Mr. Butler called the meeting to order at 7:02 p.m.

OPEN DISCUSSION

Mr. Butler asked if the audience if they had question for the Board of Selectmen. Hearing no response, he continued on with the next agenda item.

INTRODUCTION OF NEW POLICE OFFICERS – JAMES LEMANSKI, JOHN HENNESSEY AND KEITH STRONG

Lt. D'Entremont, Dedham Police Department, introduced the newly hired officers to the Board of Selectmen and Town—James Lemanski, John Hennessey and Keith Strong. Lt. D'Entremont stated that the all three officers came highly recommended. Lt. D'Entremont continued on with the discussion and gave some background information on each of the officers, i.e., career highlights, experience and education.

Mr. Dellolacono thanked Officer Keith Strong for his service to our country in Iraq. He congratulated the officers on their appointments and welcomed them all to the Town of Dedham.

Ms. MacDonald echoed Mr. Dellolacono's comments relative to Officer Strong thanked him for his service in Iraq. Additionally, she thanked all of the officers for their commitment s to the Town of Dedham. Ms. MacDonald asked all to let the Board of Selectmen know how they can make their job as a Dedham Police Officer better.

Mr. MacDonald commented that it was unfortunate that the previous communities that they worked in had to let them go; however, he was very pleased that they were now employed for the Town of Dedham. Mr. MacDonald informed them of the outstanding Superior Officers and staff that they will be working with in the Town of Dedham. He welcomed the officers, wished them well and looked forward to them serving and having a long career in the Town of Dedham.

Mr. Reynolds echoed the Selectmen's comments and thanked the officers for their service to the Town of Dedham.

Mr. Butler informed the officers that the Police Department is well-respected in Dedham. Additionally, the department has a good track record with the community.

ZBA Applicant Comment—At this point of the meeting, Mr. Butler acknowledged Jessica Porter, ZBA Applicant. He asked if she would like to make a statement to the public at this time.

Ms. Porter informed the Board that she has lived in the Town of Dedham for the past eight and a half years—this is home to her. Ms. Porter expressed her desire to give back to the community and her interest in serving on the ZBA because she has attended numerous ZBA Meetings. She thought the ZBA was an important Board that was interesting to her. Ms. Porter felt that she could share her professional expertise, skills and passion serving on this particular Board. Additionally, she went on to say that she has earned an MBA from Harvard University.

DISCUSSION WITH DAVID GORDEN RE: DEDHAM CIVIC CONNECTIONS

Mr. Gordon informed all that he is a member of Dedham Civic Connections. Additionally, he is a member of the Dedham Conservation Commission. Mr. Gordon discussed the newly-formed and active Dedham Civic Connections Group. He invited all to a network event that will take place at Vinny T's on December 1, 2009—approximately 40 people have made reservations to attend. Mr. Gordon read a Mission Statement relative to Dedham Civic Connections for the Board and audience (a copy of statement is on file in Town Administrator's Office).

Mr. Gordon thanked Mr. Reynolds and Ms. MacDonald for their assistance with Civic Connections. Ms. MacDonald thanked Mr. Gordon for his diligent efforts —she also thanked the Needham Bank for their support.

Mr. Reynolds commented that Dedham Civic Connections group will be able to connect the dots around the Town with respect to civic groups, public officials, business, etc. Mr. Reynolds expressed his thoughts working and getting involved with the group. Mr. Reynold's hope is to make group inclusive and get everyone involved going forward. Relative to the event, Mr. Reynolds informed all that the Vinny T's function will be the group's first event. He indicated that it will be low-key and at no cost to participants. Additionally, there are plans for a festive Town Hall Open House in the Spring, 2010—residents and others will be invited to get to know their government, participate and get involved.

Mr. Gordon informed all that information relative to Dedham Civic Connections will be posted on the Town of Dedham Website going forward.

PUBLIC HEARING – K H & H LIQUORS, INC.- ALTERATION OF PREMISES

For the record, Mr. Butler read the following into the record:

Notice is hereby given under Chapter 138 of the General Laws that the Board of Selectmen has received a petition from K H & H Liquors, Inc., for an Alteration of the licensed premises at 400 Commercial Circle, Dedham, Massachusetts.

Notice is hereby given that a Public Hearing will be held on this application on Tuesday, November 3, 2009, at 7:30 p.m. in the Francis O'Brien Meeting Room, Dedham Town Hall, 26 Bryant Street, Dedham, Massachusetts

Representing K H & H Liquors were: Attorney Kevin Hampe and Mary Conley, Manager of Record

Attorney Hampe informed all that this evening Public Hearing was published in the newspaper and abutters were notified. Additionally, a Special Permit was granted to COSTCO's in May, 2009, and there is a revision of the Parking Plan.

Attorney Hampe gave the Board of Selectmen and audience an overview of the changes made to the K H & H Liquors space located at COSTCO's—2,995 square feet of space with 2,200 of that space for the Sales Area. Attorney Hampe went on to say that K H & H Liquors will retain the same employees at the new space. Additionally, there are two exits and new modern Security Areas.

Mr. MacDonald informed the Board that K H & H Liquors, Inc., is a lessee of COSTCO's. Additionally, they have a separate license granted to their corporation. Mr. MacDonald asked Attorney Hampe if he could see the revised Lease Agreement with COSTCO's. Attorney Hampe stated that he would provide copies of the revised agreement for the Selectmen—he will submit them to the Town Administrator's Office.

Mr. Dellolacono asked the Hours of Operation at the new space. Ms. Conley stated that the hours of operation will be the same as before—no changes. Mr. Dello expressed his concerns that K H & H Liquors did not give the Board a letter explaining their plans prior to the hearings before the ZBA and Planning Board.

The Hours of Operation at the establishment are as follows: Mon-Friday 10:00 a.m. to 8:30 p.m.; Saturdays 9:30 a.m. to 6:00 p.m.; Sundays 12:00 noon to 6:00 p.m.

Ms. MacDonald had questions relative to the merchandise at the store. She asked Ms. Conley how she sees K H & H Liquors against other Package Stores. Ms. Conley commented that they go by the demographics of the area—they look for the best buys for their customers. Ms. Conley went on to say that the products at the store will not change going forward.

Mr. MacDonald asked Ms. Conley if there is refrigeration at the store. Ms. Conley stated, no. Mr. MacDonald had concerns with the hours of operation do to the fact that the new space is a stand alone store. He will consider a condition on the license relative to the hours of operation.

Mr. Reynolds commented that the new store is quite an investment. Ms. Conley informed him that COSTCO's made the investment and that there establishment is an advantage to the public. Additionally, with the move to the new space, COSTCO's will have more space at their old location in the store. Ms. Conley informed the Board that the new space will be more secure, deliveries will be easier and it will take the strain off of COSTCO's.

Mr. MacDonald commented that in Massachusetts, wholesaler is limited to three Liquor Licenses. He went on to say that presently, COSTCO's has three licenses. Mr. MacDonald asked Attorney Hampe how may Liquor Licenses K H & H Liquors has throughout the country? Additionally, how many of those licenses are located at COSTCO stores?

Attorney Hampe stated that Ms. Hermann, owner, K H & H Liquors, Inc., also has a number of other locations tied into COSTCO's in other states. He went on to say that K H & H Liquors, Inc., is an entity from Texas—this is what she does. Ms. Hermann invests around the country.

Ms. MacDonald made a motion to close the Public Hearing; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Ms. MacDonald made a motion to approve the application to alter the premises at K H & H Liquors, Inc., 400 Commercial Circle, Dedham, MA; seconded by Mr. Dellolacono for discussion relative to a condition on the Hours of Operation at the establishment. Ms. MacDonald amended her motion to include condition relative to hours—Mon through Friday 8:30 a.m. to 9:30 p.m.; Saturdays 9:30 a.m. to 6:00 p.m.; and Sundays 12:00 noon to 6:00 p.m. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. MacDonald made a motion to approve the request relative to amending December Holiday Hours of Operation (December 1-31) extending hours to coincide with COSTCO's hours; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

DISCUSSION WITH KAREN O'CONNELL, ECONOMIC DEVELOPMENT DIRECTOR

The Board welcomed Ms. O'Connell to this evening meeting. Ms. Connell began her conversation by informing the Board that her work coincides with the goals the Board of Selectmen set. Ms. O'Connell went on to say that she is working with the Mother Brook Group. Additionally, she has been assigned an intern, Chris Miner, to work with her. Chris is conducting a data/research survey of the East Dedham area. She informed the Board that this an important survey—it is 80% finished. Once the material is assembled, she can submit an application for a Community Block Grant for East Dedham. Ms. O'Connell informed all that Chris lives in East Dedham and believes that the work he is doing is important for his neighborhood.

Relative to the PWED Grant—Ms. Connell commented that it is important for Dedham Square—1.3 Million Dollars in downtown improvements. She informed the Board that she has a meeting scheduled with Representative McMurtry and a tentative Public Hearing is scheduled for January, 2010. Ms. O'Connell went on to say that grants have been delayed across the board and there is a reduction in grant funds available. Ms. O'Connell still thought the Town of Dedham was in a good position; however, to go forward, the project needs not only Town put State & Federal Government Grants.

Relative to Legacy Place—Ms. O'Connell informed the Board that she has been having on-going meetings with the Legacy Place General Manager, Staff, Police Department, Fire Department, etc.—trying to assist both sides, Town and Developer/Tenants.

Relative to Stimulus Funds—Ms. O'Connell is working on Municipal Fund Projects. Ms. O'Connell commented that she is trying to keep them alive and up front-- lobbying for their approval.

Ms. O'Connell informed the Board that she is looking into a artist/cultural situation for the Avery School location and what can developed in East Dedham.

Ms. O'Connell is working with the Neponset Valley Chamber of Commerce relative to Biotech and a regional basis approach that might have potential going forward. The chamber is hosting its first Biotech event in Norwood tomorrow evening. There will be over 86 attendees present to discuss how to market the region (property and commercial owners will be present). The objective is to showcase the region and develop regional marketing and branding.

Ms. O'Connell informed the Board that she is working with Nancy Baker, Assistant Town Administrator relative to setting up the Town Hall to Small Business Meeting—Mrs. Baker is working on the schedule.

Ms. O'Connell informed the Board of her Business Outreach Program--she has asked Dedham Square merchants what their needs are. Additionally, there will be a series of professional meetings to discuss areas of interest and need.

Mr. Reynolds thanked Ms. O'Connell for all of her hard work—he commented that she is relentlessly looking for opportunities and reaching out to small businesses who are fighting to keep their doors open. Mr. Reynolds asked all to shop locally to help the community. Additionally, he thanked Chris Miner for his diligent civic participation and focus on East Dedham.

REQUEST FOR COMMON VICTUALLER'S LICENSE – QDOBA MEXICAN GRILL, 756 LEGACY PLACE

Representing Qdoba Mexican Grill was: Jason Hudson, General Manager. Mr. Hudson informed the Board that he has 22 years of restaurant experience. He went on to say that he serves food to customers that he would serve to his Mom.

Mr. Hudson informed the Board that Qdoba Mexican Grill started in Denver, Colorado, in 1995. Additionally, Qdoba is a fast, casual Mexican Restaurant—everything is prepared in-house. Mr. Hudson informed the Board that the franchised restaurant to be located at Legacy Place is the 19th store.

Mr. Dellolacono asked if Qdoba Restaurants serve alcohol. Mr. Hudson replied that alcohol is served in other areas; however, he has no intention to serve alcohol at Legacy Place. Mr. Hudson informed all that the restaurant will be located between the Fossil and OOP establishments.

Mr. Reynolds asked Mr. Hudson where the meat at his restaurant comes from. Mr. Hudson commented that his company supplies the best product for their customers—Agar is the approved corporate vendor. Additionally, the restaurant has safety procedures in place.

Mr. Hudson informed the Board that the Hours of Operation at the restaurant are as follows: Sunday-Thursday 11:00 a.m. to 10:00 p.m.; Friday and Saturday 11:00 a.m. to 11:00 p.m. Deliveries: 8:00 a.m. to 11:00 a.m. (2 Agar deliveries and produce 2/3 times per week).

Mr. Dellolacono asked if there would be outdoor seating. Mr. Hudson responded, no.

Mr. MacDonald made a motion to approve a Common Victualler's License to Odoba Mexican Grill; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. Hudson informed all that the restaurant plans to open on November 17, 2009.

REQUEST FOR COMMON VICTUALLER'S LICENSE – DEDHAM DINER, 247 BUSSEY STREET

Representing Dedham Diner was: Antonette Elias

Ms. Elias stated that she lives in the Town of Dedham. Ms. Elias informed the Board that she has owned a restaurant in Jamaica Plain, Massachusetts, with her sister for the past twenty-eight years. Ms. Elias went on to say that she will offer Breakfast and Lunch only at the Dedham Diner—no alcohol.

Ms. MacDonald commented that she was excited that a new restaurant was coming to East Dedham.

Mr. Butler asked the Hours of Operation at the restaurant. Ms. Elias asked permission to open at 5:00 a.m. Mrs. Baker, Asst. Town Administrator informed Ms. Elias that there is a by-law in the Town of Dedham that prevents food take-out between the hours of 12:00 p.m. and 6:00 a.m.—food cannot leave the premises. Mrs. Baker went on to say that she could open at 5:00 a.m.; however, food must be served only on-premises in the restaurant—no take out until after 6:00 a.m. Mrs. Baker informed Ms. Elias that she could stay open until 12:00 p.m. with a Common Victualler's License.

Mr. MacDonald made a motion to approve the Common Victualler's License; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. Butler asked Ms. Elias when the restaurant will open. Ms. Elias informed all that they plan to open the restaurant the 3rd week of November, 2009. The Board of Selectmen wished her good luck.

DISCUSSION RE: UPDATED GOALS

Ms. MacDonald gave the Board an overview of the updates and she indicated that some of the goals were not suppose to conclude within the year.

William Keegan, Town Administrator, informed the Board that he sent the Board's goals to Department Heads. Additionally, he tracks them every few months and sends updates. He went on to say that this was a living document and they have accomplished quite a bit. Mr. Keegan informed the Board that this was a very useful document for all to set priorities for the year -- it goes to the Board of Selectmen's credit. Mr. Keegan informed the Board that he will be reviewing the document tomorrow at the monthly Department Heads Meeting. Additionally, the Board will be able to track and update progress as it reflects their efforts. Mr. MacDonald commented that this document was an excellent tool for the Board of Selectmen to message goals and follow/track them going forward.

Ms. MacDonald asked the Board for their thoughts on the goals added and suggestions on a timeframes.

Mr. Butler added that dates on Website updates should be clear. Mr. Butler went on to say that there are 17 objectives and subs—things are moving along. Additionally, he did not expect everything to be completed on time—things come up. Mr. Butler commented that Bill Keegan and staff take the Board's goals seriously. Mr. Keegan informed all that he is working on the Court Project which is of concern to the Board.

Mr. Reynolds informed all that these are goals the Board of Selectmen set from speaking with residents across Town—it is part of a blueprint. Mr. Reynolds went on to say that the Board of Selectmen are listening and to keep in touch with them with their ideas.

BOARD OF SELECTMEN'S POSITIONS – SPECIAL TOWN MEETING WARRANT

Mr. MacDonald made a motion to concur with the Finance Committee recommendation relative to the following Special Town Meeting (2009) Warrant Articles – November 16, 2009; seconded by Ms. MacDonald:

Article 1—Funding for Collective Bargaining

Article 2—Line Item Transfers

Article 3—Special Purpose Stabilization Fund

Article 4—Appropriation for a new Avery School

Article 5—Appropriation for Design and Construction of a Synthetic Turf Performance Field

Article 7—Increase Room Occupancy Tax

Article 8—Appropriation of Funds to MWRA Phase 7 Program

Article 9—Amend Zoning By-Law (AUOD)

Article 10—Rescind Borrowing Authorized at 2003 ATM for DMS

Article 11—Amend Home Rule Charter re: Collector/Treasurer

Article 12—Home Rule Petition re: Signing of Warrants

On the Vote: Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Relative to Article 6—Local Meals Tax—Mr. MacDonald made a motion to submit a Substitute Motion outline relative to acceptance of a Major Capital Facilities Fund; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Town Administrator's Report

William Keegan, Town Administrator, gave the Board an update on the Fire Chief Search Process. He gave an overview relative to the Interview Process, Search Panel and evaluation. He informed all that the interview was tapped and concise.

Mr. Keegan informed the Board that after careful consideration, he has chosen to appoint Deputy Fire Chief, William Cullinane, Chief of the Fire Department. He will negotiate a contract with the new chief.

Mr. MacDonald made a motion, pursuant to the Dedham Charter, to affirm the Town Administrator's choice of Deputy Fire Chief William Cullinane as Chief of the Fire Department; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Mr. Butler congratulated the new Fire Chief. He asked if he would attend the next Selectmen's Meeting. Mr. MacDonald suggested that it would be appropriate to have a ceremony soon at the Middle School, with Chief's approval. Mr. Keegan commented that Chief Cullinane would like a small ceremony.

Mr. Keegan informed the Board that there will be a Veterans' Day Ceremony at the Middle School on Tuesday, November 10, 2009, at 10:30 a.m.

Mr. Keegan informed the Board that Fairview Cemetery was accepted in the National Parks Service Register.

Mr. Keegan informed the Board that the Town of Westwood is changing the layout on portions of Canton Street on November 18, 2009, at the Norfolk County Registry of Deeds.

Action by the Board

Request for a Transcient Vendor's License to sell Christmas Trees at the Dedham Community House, High Street, Dedham, MA—Mr. MacDonald made a motion to approve a Transcient Vendor's License to the Dedham Community House; seconded by Mr. MacDonald and voted unanimously.

Approval of Conflict of Interest Forms from the Dedham Cultural Council—Ms. MacDonald made a motion to accept the Conflict of Interest Disclosure Forms from the following Council Members: Virginia Brobst, Jan Civian, Barbara Gula and Virginia McLaughlin; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

Appointments Sustainability Committee—Mr. Dellolacono made a motion to place all the applicants names in nomination—Jonathan Briggs, Steve MacAusland, Peter Onelli, Joanna Hamblin, Russ Poole, Liz O'Donnell, Debbie Harrison and Vincent Raulinatis.

Mr. Dellolacommo made a motion to appoint Liz O'Donnell, Peter Onelli and Joanna Hamblin to the three-year term on the Committee; seconded by Mr. MacDonald and voted unanimously.

Mr. Dellolacono made a motion to appoint Jonathan Briggs, Russ Poole and Debbie Harrison to the two-year term on the Committee; seconded by Mr. MacDonald and voted unanimously.

Mr. Dellolacono made a motion to appoint Steve MacAusland and Vincent Raulinatis to the one-year term on the Committee; seconded by Mr. MacDonald and voted unimously.

Ms. MacDonald made a motion to appoint Selectmen Carmen Dellolacono to the Selectmen's one-year term on the Committee; seconded by Mr. MacDonald and voted unanimously.

ZBA Alternate Appointment—Ms. MacDonald made a motion to place all the applicants in nomination—Jessica Porter, John Scaramuzzo, Christopher Polito and Cynthia Hartman; seconded by Mr. Dellolacono.

On the Vote: Mr. Reynolds—Jessica Porter; Mr. Dellolacono, Christopher Polito; Mr. MacDonald, Christopher Polito; Ms. MacDonald, Jessica Porter and Michael Butler, Jessica Porter.

Approval of Selectmen's Meeting Minutes, July 26, 2009—Ms. MacDonald made a motion to approve the Selectmen's Meeting Minutes of July 26, 2009; seconded by Mr. MacDonald and voted unanimously.

OLD/NEW BUSINESS

Mr. MacDonald informed the Board of the proposal to reinstitute Havey Beach, follow-up hearings and how it will affect the Riverdale neighborhood.

Relative to Washington Street Construction, Mr. MacDonald asked the Town Administrator to send a follow-up request to Mass Highway to pickup/sweep the street at the end of the day. Mr. Butler added that the Board values public safety in the area and requested a working group be formed to discuss the project.

Ms. MacDonald asked the Board for a discussion at their next meeting relative to the master Plan Implementation Committee. Ms MacDonald would like to make sure that the plan is a living document.

She asked for the Board's action at the next meeting. Ms. MacDonald recommends nine members on the committee.

Mr. Dellolacono had concerns relative to Rustcraft Road and sidewalks. Mr. Dellolacono was concerned for the pedestrians walking down the street to the train from the hotels—he asked if there could be a step up effort for work. Mr. Keegan commented that Joe Flanagan, DPW Director, has requested Mitigation Funds for this area. Relative to the Fairbanks Parking, Mr. Dellolacono suggested that there be a swap parking with the Red Cross—Town will use Red Cross Parking Lot and Red Cross use the Town Lot so a crosswalk can be built.

Mr. Dellolacono asked for an update on the SMA Property—Mr. Keegan informed all that turf was delivered today; the sub-surface is complete and getting very close. Mr. Butler asked Mr. Keegan to inform the Board of Selectmen when it is completed. Mr. Keegan went on to say that landscaping will start in the Spring.

On another matter, Mr. Dellolacono had concerns relative to Building Department new fees—he did not want homeowners burdened with a new tax. Mr. Dellolacono asked Mr. Keegan for more defined answers from the Building Commissioner.

Mr. Reynolds, once again, reminded all of the Dedham Civic Connections Event on December 1, 2009, at Vinny T's. He thanked their sponsor, Needham Bank.

Mr. MacDonald made a motion to enter into Executive Session pursuant to Chapter 39, Section 23B, relative to Collective Bargaining; seconded by Mr. Dellolacono. **On the Vote:** Mr. Reynolds, yes; Mr. Dellolacono, yes; Mr. MacDonald, yes; Ms. MacDonald, yes; and Mr. Butler, yes.

The Board did not reconvene in Open Session.

The Meeting adjourned at 9:13 p.m.

This is to certify that the above is a true and accurate record of the Minutes of the Board of Selectmen's Meeting held on November 3, 2009, which minutes were approved on March 25, 2010.

Michael L. Butler, Chairman

